

such admission in evidence, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

WESTERFELD, Chairman.

Committee Room,
Austin, Texas, April 9, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 489, A bill to be entitled "An Act to provide rules of practice and procedure in District Courts sitting for all of their terms or for only some of their terms in a county where three District Courts, with both civil and criminal jurisdiction, sit and have jurisdiction, none of which has more than four terms a year, and one of which sits and has jurisdiction in not less than two other counties, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

SMALL, Chairman.

Committee Room,
Austin, Texas, April 9, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 2, A bill to be entitled "An Act defining Public Utilities, and providing for their regulation; creating the Public Utilities Commission of this State, and fixing their qualifications and compensation, and prescribing their duties and powers, and the manner in which the jurisdiction herein conferred shall be exercised; providing penalties for the violation of this Act, and for the repeal of all laws and parts of laws in conflict herewith."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but pass with the committee substitute in lieu thereof and the committee substitute only be printed in bill form.

PACE, Chairman.

Minutes of Committee Meetings.

Minutes of Committee on State Affairs, Held April 9, 1935.

Regular Meeting.

Present: Pace, Blackert, Collie, Cotten, DeBerry, Holbrook, Hopkins, Hornsby, Martin, Moore, Oneal, Rawlings, Redditt, Regan, Shivers, Small, Stone, Sulak.

Absent—Excused: Fellbaum.

S. B. No. 2 was reported adversely with the recommendation the committee substitute pass in lieu thereof and the committee substitute only be printed in bill form.

H. C. R. No. 51 was reported favorably by viva voce vote with the recommendation it be printed.

H. B. No. 720 was reported favorably by viva voce vote with the recommendation it be not printed.

H. C. R. No. 61 was reported favorably by viva voce vote with the recommendation it be printed.

H. B. No. 65 was reported favorably by viva voce vote with the recommendation it be printed.

H. B. No. 697 was reported favorably by viva voce vote with the recommendation it be printed.

H. B. No. 349 was reported favorably by viva voce vote with the recommendation it be printed.

S. B. No. 382 was reported favorably by viva voce vote with the recommendation it be not printed.

W. S. REEVES, Secretary.

FORTY-NINTH DAY.

(Continued.)

Senate Chamber,
Austin, Texas,
April 11, 1935.

The Senate met at 10 o'clock a. m. pursuant to recess, and was called to order by Lieutenant Governor Walter F. Woodul.

S. C. R. No. 35.

Senator Burns received unanimous consent to suspend the regular order of business and sent up the following resolution:

By Burns, Hopkins, S. C. R. No. 35.
Holbrook, Black-
ert, Martin, Hill,
DeBerry, Cotten,
Moore, Wester-
feld, Rawlings,
and Pace.

In opposition to attempted Federal control of the production of oil and gas in the State of Texas.

Whereas, the Democratic party of Texas in convention assembled on September 11, 1934, adopted the following plank in the party platform:

"We oppose the abdication or surrender of the State's power to control the production of its natural resources. We likewise oppose any Federal encroachment upon the exclusive power of this State to control the production of oil and gas. We oppose any plan that results in the arbitrary compulsory unitization of oil fields."

And whereas, there is pending at this time before the Committee on Mines and Mining of the United States Senate a bill known as the Thomas bill which has for its purpose the attempted regulation of the production of oil within the states; and,

Whereas, The purpose of said bill is directly contrary to the principles contained in the platform of the Texas democracy and contrary to the principles of our dual form of government in that it is an attempted invasion of the sovereign powers of this and other states of the Union: therefore, be it

Resolved by the Senate of Texas, the House of Representatives Concurring, That the members of the Senate and of the House of Representatives of the United States Congress be and they are hereby respectfully petitioned and requested to oppose the adoption of the so-called Thomas bill or other similar bills. Be it further

Resolved, That the Secretary of the Senate and the Chief Clerk of the House of Representatives be and they are hereby instructed to mail a copy of this resolution to the members of the Texas delegation in the Congress of the United States and to the presiding officers of the Senate and the House of Representatives, and to the Chairman of the Committee on Mines and Mining of the United States Senate, and Chairman of Interstate and Foreign

Commerce Committee in the House.
Read.

Senator Burns asked unanimous consent that the Senate rule requiring resolutions to be referred to a committee be suspended, and that S. C. R. No. 35 be taken up and considered at this time.

Unanimous consent was granted.

S. C. R. No. 35 was adopted by viva voce vote.

S. J. R. No. 22.

Pending business was the pending amendment by Senator Burns to committee substitute for S. J. R. No. 22.

Senate Resolution No. 70.

Senator Davis received unanimous consent to suspend the regular order of business and sent up the following resolution:

Whereas, S. B. No. 227 passed the Senate on April 8, by a vote of yeas 23, nays 3, and,

Whereas, The Senate adopted an amendment by Senator Davis, and,

Whereas, The bill was sent to the House engrossed with the committee substitute instead of the Davis substitute for the committee substitute; now, therefore, be it

Resolved, That the Secretary of the Senate be instructed to transmit to the House a corrected copy of said bill.

DAVIS.

Read.

Senator Davis asked unanimous consent that the Senate rule requiring resolutions to be referred to a committee be suspended, and that S. R. No. 70 be taken up and considered at this time.

Unanimous consent was granted.

S. R. No. 70 was adopted by viva voce vote.

S. J. R. No. 22.

Motion to Table.

Senator Martin moved to table the pending amendment by Senator Burns.

The motion prevailed by the following vote:

Yeas—13.

Cotten.	Hornsby.
Davis.	Martin.
Duggan.	Moore.
Holbrook.	Neal.

Rawlings.
Redditt.
Regan.

Sanderford.
Small.

Nays—12.

Blackert.
Burns.
Collie.
DeBerry.
Hill.
Oneal.

Pace.
Poage.
Sulak.
Van Zandt.
Westerfeld.
Woodruff.

Absent.

Beck.

Absent—Excused.

Fellbaum.
Hopkins.

Shivers.
Stone.

Senator Hill sent up the following amendment:

Amend by adding a new section to be numbered 3 as follows:

The Legislature shall, upon the passage of this amendment, immediately enact a measure providing that suit may be maintained in any court of this State to enforce the collection of any note or other evidence of debt unless and until the holder thereof has paid the ad valorem tax on the face value thereof in the county of his residence.

HILL,
SULAK,
BURNS,
BLACKERT.

Read.

Point of Order.

Senator Sanderford raised the point of order that the amendment by Senator Hill was not germane to the resolution.

The Chair overruled the point of order.

Motion to Table.

Senator Holbrook moved to table the amendment.

The motion to table prevailed by the following vote:

Yeas—16.

Beck.
Blackert.
Cotten.
Davis.
Duggan.
Holbrook.
Hornsby.
Martin.

Moore.
Neal.
Rawlings.
Redditt.
Regan.
Sanderford.
Small.
Van Zandt.

Nays—9.

Burns.
Collie.
DeBerry.
Hill.
Oneal.

Poage.
Sulak.
Westerfeld.
Woodruff.

Absent—Excused.

Fellbaum.
Hopkins.
Pace.

Shivers.
Stone.

Amend by adding a new section as follows:

"Upon the adoption of this amendment, the Legislature shall at its first session thereafter pass a graduated income tax on all net incomes in excess of one thousand dollars per annum applying to all persons, firms and corporations.

HILL.

Read.

Motion to Table.

Senator Holbrook moved to table the amendment.

Point of Order.

Senator Sanderford raised the point of order that the amendment was not germane to the resolution.

The Chair overruled the point of order.

The motion to table prevailed by the following vote:

Yeas—17.

Beck.
Blackert.
Collie.
Cotten.
Davis.
Duggan.
Holbrook.
Hornsby.
Martin.

Moore.
Neal.
Rawlings.
Redditt.
Regan.
Sanderford.
Small.
Van Zandt.

Nays—8.

Burns.
DeBerry.
Hill.
Oneal.

Poage.
Sulak.
Westerfeld.
Woodruff.

Absent—Excused.

Fellbaum.
Hopkins.
Pace.

Shivers.
Stone.

Senator Poage sent up the following amendment:

Amend C. S., S. J. R. No. 22, Section 2, line 50, by adding between

the words "funds" and "and" the following:

"From taxes on natural resources, intangible assets, privileges, franchises, occupations."

POAGE,
DeBERRY.

Read.

Senator Van Zandt sent up the following amendment:

Amend Poage amendment by adding just before the words "natural resources" the following:

"Severance taxes."

VAN ZANDT.

Read.

Point of Order.

Senator Hornsby raised the point of order that the Senator was out of order in that his questioning was unlimited.

The Chair requested the Senator to limit his remarks.

The amendment by Senator Van Zandt to the amendment of Senator Poage was adopted by viva voce vote.

Motion to Table.

Senator Sanderford moved to table the amendment as amended.

The motion lost by the following vote:

Yeas—9.

Cotten.	Moore.
Davis.	Rawlings.
Duggan.	Redditt.
Holbrook.	Regan.
Martin.	

Nays—15.

Blackert.	Pace.
Burns.	Poage.
Collie.	Sanderford.
DeBerry.	Sulak.
Hill.	Van Zandt.
Hornsby.	Westerfeld.
Neal.	Woodruff.
Oneal.	

Absent.

Beck.	Stone.
Small.	

Absent—Excused.

Fellbaum.	Shivers.
Hopkins.	

Recess.

On motion of Senator Rawlings at 12:12 o'clock p. m. the Senate recessed until 2:00 o'clock p. m.

After Recess.

The Senate met at 2:00 o'clock p. m. pursuant to recess and was called to order by Lieutenant Governor Walter F. Woodul.

S. J. R. No. 22.

Senator Holbrook sent up the following amendment:

Amend the Poage amendment as amended by adding "a selected sales tax."

HOLBROOK.

Read.

Amend C. S., S. J. R. No. 22 by reading as follows:

"No general sales tax shall ever be levied upon the necessities of life."

BURNS,
ONEAL,
WESTERFELD,
POAGE,
WOODRUFF,
VAN ZANDT,
SULAK,
HILL,
DeBERRY.

Read.

Point of Order.

Senator Holbrook raised the point of order that the amendment was out of order in that it was same as the amendment that had been previously offered and tabled.

The Chair overruled the point of order.

Motion for Previous Question.

Senator Woodruff moved that the previous question be ordered on the amendment, pending amendment and the resolution.

The motion was seconded.

The motion lost by viva voce vote.

Motion to Table.

Senator Holbrook moved to table the substitute amendment by Senator Burns.

The motion to table lost by the following vote:

Yeas—7.

Davis.	Rawlings.
Duggan.	Sanderford.
Holbrook.	Small.
Martin.	

Nays—15.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Redditt.
DeBerry.	Sulak.
Hill.	Westerfeld.
Hornsby.	Woodruff.
Neal.	

Absent.

Blackert.	Stone.
Moore.	Van Zandt.
Regan.	

Absent—Excused.

Fellbaum.	Shivers.
Hopkins.	

The question recurred on the adoption of the substitute amendment by Senator Burns.

The amendment was adopted by the following vote:

Yeas—17.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Redditt.
DeBerry.	Sulak.
Hill.	Van Zandt.
Hornsby.	Westerfeld.
Moore.	Woodruff.
Neal.	

Nays—6.

Davis.	Martin.
Duggan.	Rawlings.
Holbrook.	Sanderford.

Absent.

Blackert.	Small.
Regan.	

Absent—Excused.

Fellbaum.	Shivers.
Hopkins.	Stone.

The question recurred on the adoption of the amendment by Senator Holbrook as substituted.

The amendment as substituted was adopted by viva voce vote.

The question recurred on the adoption of the amendment by Senator Poage to C. S., S. J. R. No. 22 as amended.

Motion to Table.

Senator Sanderford moved to table the amendment by Senator Poage as amended.

The motion to table lost by the following vote:

Yeas—8.

Davis.	Moore.
Duggan.	Rawlings.
Holbrook.	Sanderford.
Martin.	Small.

Nays—16.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Redditt.
DeBerry.	Sulak.
Hill.	Van Zandt.
Hornsby.	Westerfeld.
Neal.	Woodruff.

Absent.

Cotten.

Absent—Excused.

Fellbaum.	Shivers.
Hopkins.	Stone.
Regan.	

The amendment by Senator Poage as amended was adopted by the following vote:

Yeas—16.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Redditt.
DeBerry.	Sulak.
Hill.	Van Zandt.
Hornsby.	Westerfeld.
Neal.	Woodruff.

Nays—8.

Davis.	Moore.
Duggan.	Rawlings.
Holbrook.	Sanderford.
Martin.	Small.

Absent—Excused.

Cotten.	Regan.
Fellbaum.	Shivers.
Hopkins.	Stone.

Amend C. S., S. J. R. No. 22 by striking out in line 36 the words "one and one-fourth per cent" and insert in lieu thereof "one and one-half per cent."

SULAK.

Read and adopted.

S. J. R. No. 22 as substituted and amended passed to engrossment by the following vote:

Yeas—21.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Sanderford.
Hill.	Sulak.
Hornsby.	Van Zandt.
Martin.	Westerfeld.
Moore.	

Nays—4.

Davis.	Small.
Holbrook.	Woodruff.

Absent—Excused.

Fellbaum.	Shivers.
Hopkins.	Stone.
Regan.	

On motion of Senator Sanderford the Senate rule requiring joint resolutions to be read on three several days was suspended and S. J. R. No. 22 was put on its third reading and final passage by the following vote:

Yeas—22.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Sanderford.
Hill.	Sulak.
Hornsby.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Nays—3.

Davis.	Small.
Holbrook.	

Absent—Excused.

Fellbaum.	Shivers.
Hopkins.	Stone.
Regan.	

S. J. R. No. 22 was finally passed by the following vote:

Yeas—21.

Beck.	Duggan.
Blackert.	Hill.
Burns.	Hornsby.
Collie.	Martin.
Cotten.	Moore.
DeBerry.	Neal.

Oneal.	Sanderford.
Pace.	Sulak.
Poage.	Van Zandt.
Rawlings.	Westerfeld.
Redditt.	

Nays—3.

Holbrook.	Woodruff.
Small.	

Present—Not Voting.

Davis.	Absent—Excused.
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Fellbaum.	Shivers.
Hopkins.	Stone.
Regan.	

Reason for Vote.

I vote "no" on S. J. R. No. 22 on account of limitations placed in the resolution by amendments. As the resolution was passed, it limits the Legislature in raising needed revenues to supply the deficit.

HOLBROOK.

House Bill No. 327.

Pending business was the motion to lay on the table subject to call H. B. No. 327.

The motion prevailed by viva voce vote.

House Bill No. 65.

Privileged motion to re-refer.

Senator Martin moved to re-refer H. B. No. 65 which was reported out of State Affairs Tuesday, April 10th, to the Committee on State Affairs for further consideration.

Point of Order.

Senator DeBerry raised the point of order that the Senator was out of order because the motion was not in order when another motion was pending.

The Chair sustained the point of order.

House Bill No. 720.

Senator Burns moved to suspend the regular order of business and take up out of regular order H. B. No. 720.

The motion prevailed by the following vote:

Yeas—23.

Beck.	Collie.
Blackert.	Cotten.
Burns.	Davis.

DeBerry.	Rawlings.
Hill.	Redditt.
Holbrook.	Sanderford.
Hornsby.	Small.
Martin.	Sulak.
Moore.	Van Zandt.
Neal.	Westerfeld.
Oneal.	Woodruff.
Pace.	

Nays—2.

Duggan.	Poage.
Absent—Excused.	
Fellbaum.	Shivers.
Hopkins.	Stone.
Regan.	

House Bill No. 720.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Russell:

H. B. No. 720, A bill to be entitled "An Act ratifying the Interstate Compact made by the Governor of Texas with the Governors and their representatives of other oil-producing States at Dallas, Texas, on February 16, 1935; providing that same shall be effective in accordance with the terms thereof; providing for a representative to the Interstate Oil Compact Commission; providing for withdrawal by the State from such compact, making an appropriation, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading by viva voce vote.

On motion of Senator Burns the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 720 was put on its third reading and final passage by the following vote:

Yeas—23.

Beck.	Moore.
Blackert.	Neal.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Redditt.
DeBerry.	Sanderford.
Duggan.	Sulak.
Hill.	Van Zandt.
Holbrook.	Westerfeld.
Hornsby.	Woodruff.
Martin.	

Absent.

Hopkins.	Shivers.
Rawlings.	Small.
Regan.	Stone.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—24.

Beck.	Moore.
Blackert.	Neal.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Rawlings.
DeBerry.	Sanderford.
Duggan.	Small.
Hill.	Sulak.
Holbrook.	Van Zandt.
Hornsby.	Westerfeld.
Martin.	Woodruff.

Absent.

Redditt.

Absent—Excused.

Fellbaum.	Shivers.
Hopkins.	Stone.
Regan.	

House Bill No. 65.

Senator Martin moved to recommit H. B. No. 65 to the Committee on State Affairs and that the committee be instructed to act on the bill by Wednesday of next week.

Senator Moore asked unanimous consent to amend Senator Martin's motion by inserting Tuesday in lieu of Wednesday.

Unanimous consent was granted.

Senator Poage moved that Senator Westerfeld be given six minutes to speak on the motion.

The motion prevailed by viva voce vote.

The motion by Senator Martin as amended by Senator Moore prevailed by the following vote:

Yeas—15.

Beck.	Rawlings.
Davis.	Redditt.
Duggan.	Sanderford.
Holbrook.	Small.
Hopkins.	Sulak.
Martin.	Van Zandt.
Moore.	Woodruff.
Pace.	

Nays—10.

Blackert.	Hornsby.
Burns.	Neal.
Collie.	Oneal.
DeBerry.	Poage.
Hill.	Westerfeld.

Absent.

Cotten.

Absent—Excused.

Fellbaum.	Shivers.
Regan.	Stone.

Point of Order.

Senator Poage raised the point of order that to re-refer a bill is a suspension of the rules because the rules provide that a bill which is regularly on the calendar shall be presented to the Senate for consideration.

The Chair overruled the point of order stating that a majority of the Senate could take any action on a bill unless prohibited by specific rules.

Motion to Suspend Rule.

Senator Hornsby received unanimous consent to suspend the regular order and moved to suspend the constitutional rule relating to the time for the introduction of bills.

The motion prevailed by the following vote:

Yeas—25.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Davis.	Rawlings.
DeBerry.	Redditt.
Duggan.	Sanderford.
Hill.	Small.
Holbrook.	Sulak.
Hopkins.	Van Zandt.
Hornsby.	Westerfeld.
Martin.	Woodruff.
Moore.	

Absent.

Cotten.

Absent—Excused.

Fellbaum.	Shivers.
Regan.	Stone.

S. C. R. No. 36.

S. C. R. No. 36, A concurrent resolution "Granting permit to Dr. C. R.

Miller for permission to bring suit against the State of Texas and/or the State Highway Department of Texas."

HORNSBY.

Read and referred to the Committee on Civil Jurisprudence.

House Bill No. 189.

Senator Small moved to suspend the regular order of business and take up out of regular order H. B. No. 189.

The motion prevailed by the following vote:

Yeas—20.

Beck.	Moore.
Blackert.	Neal.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Rawlings.
Davis.	Redditt.
Duggan.	Sanderford.
Hill.	Small.
Hornsby.	Sulak.
Martin.	Van Zandt.

Nays—4.

DeBerry.	Westerfeld.
Poage.	Woodruff.

Present—Not Voting.

Holbrook.

Absent.

Hopkins.

Absent—Excused.

Fellbaum.	Shivers.
Regan.	Stone.

The Chair laid before the Senate H. B. No. 189 which had been read the second time and laid on the table subject to call.

H. B. No. 189, A bill to be entitled "An Act to regulate the occupation of hairdressers and cosmetologists, to create a State Board of Examiners for the licensing of persons to carry on and to teach such practice, to insure the better education of such practitioners, etc., and declaring an emergency."

Senator Woodruff withdrew his pending amendment.

Senator Small sent up the following amendment:

Amend H. B. No. 189, page 3, Section 11, line 45, by striking out the figures "Fifty Dollars (\$50.00)"

and inserting in lieu thereof "One Hundred Dollars (\$100.00)"

SMALL.

Read.

Motion to Table.

Senator Woodruff moved to table the amendment by Senator Small.

The motion to table lost by the following vote:

Yeas—12.

Collie.	Poage.
Davis.	Rawlings.
DeBerry.	Sulak.
Hill.	Van Zandt.
Martin.	Westerfeld.
Oneal.	Woodruff.

Nays—12.

Beck.	Hopkins.
Blackert.	Hornsby.
Burns.	Neal.
Cotten.	Redditt.
Duggan.	Sanderford.
Holbrook.	Small.

Absent.

Moore.	Pace.
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Absent—Excused.

Fellbaum.	Shivers.
Regan.	Stone.

The amendment was adopted by the following vote:

Yeas—13.

Beck.	Hornsby.
Blackert.	Martin.
Burns.	Neal.
Collie.	Redditt.
Cotten.	Sanderford.
Duggan.	Small.
Holbrook.	

Nays—10.

Davis.	Rawlings.
DeBerry.	Sulak.
Hill.	Van Zandt.
Oneal.	Westerfeld.
Poage.	Woodruff.

Absent.

Moore.	Pace.
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Absent—Excused.

Fellbaum.	Shivers.
Hopkins.	Stone.
Regan.	

Senator Small sent up the following amendments:

Amendment No. 1.

Amend H. B. No. 189, page 4, line 3, by striking out Section 12.

SMALL.

Read and adopted.

Amendment No. 2.

Amend H. B. No. 189, page 4, Section 12, by adding thereto the following:

"Providing that no school shall be permitted to charge for work done by any student who has not completed fifty per cent (50%) of the required number of hours, as provided in Section 11, Subsection a.

SMALL.

Read and adopted.

Amendment No. 3.

Amend H. B. No. 189, page 5, Section 18, Subsection a, lines 7 and 8, by striking out the figures "Two Dollars (\$2.00)" and inserting in lieu thereof the figures "Three Dollars (\$3.00)." and in line 11 by striking out the figures "Fifty Dollars (\$50.00)" and inserting in lieu thereof the figures "One Hundred Dollars (\$100.00)."

SMALL.

Read and adopted.

Amendment No. 4.

Amend H. B. No. 189, page 6, Section 22, by striking out Subsection c.

SMALL.

Read.

The amendment was adopted by the following vote:

Yeas—13.

Beck.	Martin.
Burns.	Pace.
Cotten.	Redditt.
Davis.	Sanderford.
Hill.	Small.
Hopkins.	Sulak.
Hornsby.	

Nays—10.

Collie.	Poage.
DeBerry.	Rawlings.
Duggan.	Van Zandt.
Holbrook.	Westerfeld.
Oneal.	Woodruff.

Absent.

Blackert.	Neal.
Moore.	

Absent—Excused.

Fellbaum. Shivers.
Regan. Stone.

Senator Poage sent up the following amendments:

Amendment No. 1.

Amend H. B. No. 189, page 3, Section 10, line 38, by adding at the end of Subsection (c) the following:

"And no salaries, compensation, and/or expenses provided by any part of this Act shall in any event exceed the salaries, compensation, and/or expenses allowed for like service in the Comptroller's Department by the General Appropriations Bill."

POAGE.

Read and adopted.

Amendment No. 2.

Amend H. B. No. 189, page 4, Section 16, Subsection (a), so as to hereafter read as follows:

"Sec. 16. (a) All persons who were engaged in the actual practice of hairdressing and/or cosmetology within the State for more than twelve (12) months prior to the passage of this Act shall be entitled to a certificate without examination upon the payment of a registration fee of Three Dollars (\$3.00), accompanied by an affidavit certifying to the fact that such person was actually so engaged for the period aforementioned."

POAGE.

Read and adopted.

Amendment No. 3.

Amend H. B. No. 189, Section 17, page 5 Subdivision (a), line 6, by adding after the words and figures "Five Dollars (\$5.00)" the following:

"Provided, however, that in event any beauty parlor is conducted and operated by one person only, then and in that event no fee shall be charged for conducting such beauty parlor, but the operator thereof shall be liable only for the Three Dollar (\$3.00) annual registration fee hereinafter provided."

POAGE.

Read and adopted.

Senator Westerfeld sent up the following amendments:

Amendment No. 1.

Amend H. B. No. 189, Section 20, by erasing the period in line 47 and by adding the following words:

"Where a trial shall be had de novo."

WESTERFELD.

Read and adopted.

Amendment No. 2.

Amend H. B. No. 189, Section 20, Subdivision (B), by inserting the word "de novo" in line 37 between the word "court" and the word "of."

WESTERFELD.

Read and adopted.

Motion to Reconsider.

Senator Collie moved to reconsider the vote by which the second amendment was adopted.

The motion prevailed by viva voce vote.

Senator Westerfeld sent up the following amendment:

Amend H. B. No. 189, Section 20, Subsection (B), by inserting the word "de novo" in line 36 after the word "trial."

Read and adopted.

Senator Woodruff sent up the following amendment:

Amend Section 1 of H. B. No. 189 by adding at the end of the section the following:

"Or shall display publicly a placard showing such person to be unlicensed and/or unregistered."

WOODRUFF.

Read.

Motion to Table.

Senator Small moved to table the amendment.

The motion to table prevailed by the following vote:

Yeas—18.

Beck.	Oneal.
Blackert.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
Duggan.	Sanderford.
Hornsby.	Small.
Martin.	Sulak.
Neal.	Van Zandt.

Nays—6.

Burns.	Holbrook.
DeBerry.	Westerfeld.
Hill.	Woodruff.

Absent.

Hopkins. Moore.
Absent—Excused.

Fellbaum. Shivers.
Regan. Stone.

Senator Woodruff sent up the following amendments:

Amendment No. 1.

Amend Section 2 of H. B. No. 189 by adding at the end of the section the following:

"Or shall display publicly a placard showing such person or firm to be unsupervised."

WOODRUFF.

Read and failed of adoption.

Amendment No. 2.

Amend Section 11 of H. B. No. 189 by adding at the end of the section the following:

"Provided any beauty shop, beauty parlor or conductor of either may employ or permit not more than two (2) persons to study in such place of business without complying with the provisions of this section."

WOODRUFF.

Read.

Motion to Table.

Senator Small moved to table the amendment.

The motion to table prevailed by the following vote:

Yeas—16.

Beck.	Oneal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Rawlings.
Duggan.	Redditt.
Hornsby.	Sanderford.
Martin.	Small.
Neal.	Van Zandt.

Nays—6.

Burns.	Sulak.
DeBerry.	Westerfeld.
Holbrook.	Woodruff.

Absent.

Blackert.	Hopkins.
Hill.	Moore.

Absent—Excused.

Fellbaum.	Shivers.
Regan.	Stone.

Amendment No. 3.

Amend Section 12 of H. B. No. 189 so as hereinafter to read as follows:

"Provided, however, that nothing herein shall be construed to mean that a beauty school, beauty shop or beauty parlor cannot charge its customers for services rendered by the students if a placard is publicly displayed showing such person, operator, or employee to be a student."

WOODRUFF.

Read.

Motion to Table.

Senator Small moved to table the amendment.

The motion prevailed by the following vote:

Yeas—15.

Beck.	Moore.
Collie.	Neal.
Cotten.	Rawlings.
Davis.	Redditt.
Duggan.	Sanderford.
Hopkins.	Small.
Hornsby.	Van Zandt.
Martin.	

Nays—8.

Burns.	Poage.
DeBerry.	Sulak.
Hill.	Westerfeld.
Holbrook.	Woodruff.

Absent.

Blackert.	Pace.
Oneal.	

Absent—Excused.

Fellbaum.	Shivers.
Regan.	Stone.

Amendment No. 4.

Amend Section 13 of H. B. No. 189 by inserting after the word "culture" the following:

"Beauty shop, beauty parlor, or conductor."

WOODRUFF.

Read and pending.

Senators Excused.

The following Senators were excused on account of important business:

Senator Shivers on motion of Senator Burns.

Senator Stone on motion of Senator Davis.

Senator Regan on motion of Senator Rawlings.

Senator Hopkins on motion of Senator Blackert.

Messages from the House.

The Chair recognized the door-keeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives,
Austin, Texas, April 11, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has granted the request of the Senate for the appointment of a Conference Committee to consider the differences between the two Houses on S. J. R. No. 3 with instructions as follows:

We move that the House members of the Conference Committee requested by the Senate concerning S. J. R. No. 3 be instructed to require the submission of the repeal of prohibition in such a manner as to permit the voters of Texas to determine at the same time whether or not a State dispensary system should be established in accordance with the provisions of the resolution adopted by the House on 3rd day of April, 1935, by a vote of 134 to 7.

The following are conferees on the part of the House:

Morse, Young, Petsch, Moffett and Thornton.

Respectfully submitted,

LOUISE SNOW PHINNEY,

Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, April 11, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolution:

S. B. No. 366, A bill to be entitled "An Act amending Article 4201, Chapter 8, Title 69 of the Revised Civil Statutes of the State of Texas, adopted at the Regular Session of the Thirty-ninth Legislature relative to the sale of real estate by guardians by providing that before any sale by a guardian shall be confirmed or the title of the ward to such real estate shall pass to the purchaser, the Court shall find and determine that the general bond of the guardian is in an amount equal to double the value of the personal property on hand, in-

cluding the amount for which such real estate may be sold, plus such an additional sum as may, in the opinion of the Court, be necessary to protect the estate of the ward, and declaring an emergency."

(With amendments.)

S. B. No. 367, A bill to be entitled "An Act amending Article 4216, Chapter 8, Title 69 of the Revised Civil Statutes of the State of Texas, adopted at the Regular Session of the Thirty-ninth Legislature relating to the confirmation of sales of real estate by guardians by requiring the Court to determine and find that the guardian's general bond is in a sum equal to double the value of the personal property on hand including the amount for which the real estate is being sold before confirming such sale, and providing that the title to such real estate shall not pass until the provisions hereof shall be strictly complied with, and declaring an emergency."

H. J. R. No. 23, Proposing an amendment to the Constitution authorizing the Legislature to provide for workmen's compensation insurance for employees of the State Highway Department and other State employes, and authorizing the Legislature to provide for the payment of premiums on such policies of insurance.

H. B. No. 4, A bill to be entitled "An Act to amend Chapter 210, Acts of the Regular Session of the Forty-first Legislature, empowering the State Textbook Commission to adopt a multiple list of textbooks in German and Czech languages for use in high schools; commercial arithmetic, and bookkeeping in the English language, and also other high school texts on such other subjects for use in junior high schools as may be determined by a seven-ninths vote of said commission, and declaring an emergency."

H. B. No. 28, A bill to be entitled "An Act to dedicate to the Permanent School Fund all moneys derived from the sale of minerals in river beds, and from the sale of mineral leases on such areas and royalties therefrom, and creating an emergency."

H. B. No. 39, A bill to be entitled "An Act repealing Chapter 53, Acts of the Regular Session of the Forty-second Legislature, 1931; to encourage and aid in the conservation of soil fertility in the counties of Texas, and to maintain the productiveness

of agricultural lands for the production of essential foods and commercial crops upon which the public well-being depends; authorizing cooperation between the counties and owners of lands in conserving soil fertility, etc."

H. B. No. 61, A bill to be entitled "An Act declaring the collard peccary or javelina a game animal; providing an open season for taking same and the number that may be taken or possessed; prohibiting the sale of any peccary or part of such animal; providing suitable penalty, and declaring an emergency."

H. B. No. 66, A bill to be entitled "An Act to amend Section 3 of H. B. No. 20, Chapter 90, page 234, Acts of the Forty-third Legislature, First Called Session, by providing that all of the revenue derived from the sale of cigarette stamps should be credited to the available school fund; and providing this Act shall become effective September 1, 1935, and declaring an emergency."

H. B. No. 104, A bill to be entitled "An Act authorizing the board of trustees of the public free schools of the State of Texas to make appropriations of funds and/or other property and the income therefrom, heretofore donated or which may hereafter be donated to them, when specific purpose for such donation has not been designated by the donor, for the purpose of creating and establishing a retirement fund for the superintendents, principals, supervisors, teachers and other regular salaried employees of said schools in their respective districts, and making it mandatory and compulsory for said board of trustees to appropriate said fund and/or other property and the income therefrom for such purpose when petitioned by the donor or his or her legal representatives when said funds and/or other property and the income therefrom heretofore donated has not been appropriated for other purposes, etc., and declaring an emergency."

H. B. No. 141, A bill to be entitled "An Act declaring it to be the policy of the State to provide for the standardization of tomatoes as a protection to grower, shipper, carrier, receiver, and consumer; placing the jurisdiction of grades and classifications thereof under the direction of the Commissioner of Agriculture of the State of Texas, etc., and declaring an emergency."

H. B. No. 157, A bill to be entitled "An Act to provide that constables shall be responsible for the official acts of their deputies; empowering constables to require bond and security of their deputies; providing remedies in favor of constables against their deputies and sureties, and declaring an emergency."

H. B. No. 166, A bill to be entitled "An Act amending Article 3832, Title 57, 1925, Revised Civil Statutes of the State of Texas, adding thereto other forms and kinds of personal property that shall be reserved to every family, exempt from attachment or execution and every other species of forced sale for the payment of debts, and declaring an emergency."

H. B. No. 178, A bill to be entitled "An Act to amend Section 1, Chapter 56, Acts of the Fortieth Legislature, Article 7589a, Vernon's Revised Civil Statutes, respecting the diversion of the natural flow of surface waters or permitting such diversion to continue or impound such waters or permit the impounding thereof to continue in such manner to damage property of another by the overflow of such diverted or impounded waters and providing for damages at law and in equity occasioned thereby, and providing that this Act shall in no way affect the construction and maintenance of levees or other improvements for controlling overflows and freshets in rivers, etc."

H. B. No. 188, A bill to be entitled "An Act to declare the validity of certain indebtedness arising out of the construction of State Highway No. 2 in the County of Johnson; to place such indebtedness on a parity with bonds, warrants, and other evidence of indebtedness heretofore authorized to be paid out of the 'county and district road highway fund,' etc., and declaring an emergency."

H. B. No. 200, A bill to be entitled "An Act to amend Article 211 of Title 5, of the Revised Criminal Statutes of 1925, and declaring an emergency."

H. B. No. 265, A bill to be entitled "An Act amending Article 1583 of the Penal Code of Texas, 1925, relating to work and vacation of firemen and policemen in cities of more than 25,000 inhabitants and in cities of more than 30,000 inhabitants; providing penalties for violation of the provisions of this article, and declaring an emergency."

H. B. No. 296, A bill to be entitled "An Act repealing Article 1032 of the Penal Code of the State of Texas, revision of 1925, and declaring an emergency."

H. B. No. 297, A bill to be entitled "An Act to amend Article 484 of the Penal Code of the State of Texas, revision of 1925, and declaring an emergency."

H. B. No. 298, A bill to be entitled "An Act to repeal Article 543 of the Penal Code of the State of Texas, revision of 1925, and declaring an emergency."

H. B. No. 299, A bill to be entitled "An Act repealing Article 1445 of the Penal Code of the State of Texas, revision of 1925, and declaring an emergency."

H. B. No. 300, A bill to be entitled "An Act to amend Article 567 of the Penal Code of the State of Texas, revision of 1925, and declaring an emergency."

H. B. No. 301, A bill to be entitled "An Act to amend Article 7252 of the Revised Civil Statutes of Texas, revision of 1925, and to repeal Article 7181 and Article 7182 of said Revised Statutes, and declaring an emergency."

H. B. No. 302, A bill to be entitled "An Act to amend Article 2726 of the Revised Civil Statutes of Texas, revision of 1925, and declaring an emergency."

H. B. No. 306, A bill to be entitled "An Act amending Title 116 of the 1925 Revised Civil Statutes of Texas by adding thereto Article 6699b, providing for the appointment, compensation, duties, expense, equipment, and removal, etc., of county traffic officers."

H. B. No. 304, A bill to be entitled "An Act relating to marks and brands of livestock in Fort Bend County only, requiring that each owner of any livestock mentioned in Chapter 1 of Title 121 of the Revised Civil Statutes of 1925, shall, within six months after this Act takes effect, have his mark and brand for such stock recorded at the office of the county clerk of said county, etc., and declaring an emergency."

H. B. No. 312, A bill to be entitled "An Act to amend Article 4758 of the Revised Civil Statutes of 1925, providing for the deposit of securities, or the payment of taxes, fines, penalties, certificates of authority, valuation of policies, licenses, fees or any other special burden by an insurance corporation, fraternal beneficiary so-

ciety or reciprocal exchange organized in a State, the laws of which require similar deposits in said State by similar companies organized under the laws of the State of Texas and transacting business in said State, etc."

H. B. No. 368, A bill to be entitled "An Act changing the time of holding the terms of the district court in the One Hundredth Judicial District, and providing that all process and writs heretofore issued and all recognizances and bonds heretofore made and executed and returned to existing terms of district court in the counties composing said district, together with jurors heretofore selected are valid and returnable to the first term of such court after this Act takes effect, and providing for the continuation of the existing district courts in said counties in session when this Act takes effect to the end of their terms; repealing all conflicting laws; fixing the effective date of the Act, and declaring an emergency."

H. B. No. 376, A bill to be entitled "An Act amending Article 1058, Code of Criminal Procedure, 1925, as amended by Acts of the Forty-second Legislature, Regular Session, page 222, Chapter 130, Section 1; providing for the compensation of grand jury bailiffs, and declaring an emergency."

H. B. No. 405, A bill to be entitled "An Act providing for a closed season on the killing or possessing of squirrels in the counties of Leon and Madison from the first day of January of each year, through, and including the fifteenth day of May of each year, and during the months of August and September of each year, etc., and declaring an emergency."

H. B. No. 427, A bill to be entitled "An Act amending Article 3899 of the Revised Civil Statutes of 1925, as amended by Acts of the Forty-third Legislature, passed in its Regular Session, the same being Section 4, of Chapter 220. of Senate Bill No. 209; providing for the filing of an itemized sworn statement of all of the actual and necessary expenses incurred by certain officers; providing for an audit by the county auditor or commissioners' court; providing for approval or rejection, etc., and declaring an emergency."

H. B. No. 496, A bill to be entitled "An Act authorizing county boards of school trustees to abolish and/or subdivide common school districts

having fewer than ten scholastics and not having conducted a school for a period of five years; providing for the adjustment of bonded indebtedness and the distribution of funds; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 460, A bill to be entitled "An Act to create a more efficient road system for Rusk County, Texas, making county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, and providing for their expenses and compensations as road commissioners and defining the powers and duties of such county commissioners; providing for eminent domain in the opening, widening, laying out, and straightening of public highways, and in securing material for the construction or maintenance of public highways in Rusk County, etc., and declaring an emergency."

H. B. No. 278, A bill to be entitled "An Act ratifying and confirming a compact entered into by and between representatives of the State of Texas and the State of New Mexico, authorized by Act of the Regular Session of the Forty-second Legislature, and approved by the Governor on May 27, 1931, as shown in Chapter 251, Acts of the Forty-second Legislature, and declaring an emergency."

H. B. No. 780, A bill to be entitled "An Act making appropriations for the support and maintenance of the executive and administrative departments and agencies of the State Government for the two-year period beginning September 1, 1935, and ending August 31, 1937, and for other purposes; and prescribing certain regulations and restrictions in respect thereto, and declaring an emergency."

S. B. No. 46, A bill to be entitled "An Act amending Article 5058 of the Revised Civil Statutes of Texas, 1925, so as to prohibit the issuing, signing, countersigning, or delivering of certain insurance policies except through regularly licensed local recording agents as the term is defined in Chapter 96, page 150, Acts of the Forty-second Legislature, 1931, and requiring notice of inability to insure to be filed with the Board of Insurance Commissioners, but exempting companies not operating through local recording agents, and declaring an emergency."

S. B. No. 457, A bill to be entitled "An Act making it lawful to kill

squirrels in Lee County at any time; repealing all laws in conflict therewith, and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Bills and Resolution Referred.

H. B. No. 4 referred to the Committee on Educational Affairs.

H. B. No. 28 referred to the Committee on Public Land and Land Office.

H. B. No. 39 referred to the Committee on Agriculture.

H. B. No. 61 referred to the Committee on Game and Fish.

H. B. No. 66 referred to the Committee on State Affairs.

H. B. No. 104 referred to the Committee on Educational Affairs.

H. B. No. 141 referred to the Committee on Agriculture.

H. B. No. 157 referred to the Committee on Criminal Jurisprudence.

H. B. No. 166 referred to the Committee on State Affairs.

H. B. No. 178, referred to the Committee on Mining, Irrigation and Drainage.

H. B. No. 188 referred to the Committee on State Highways and Motor Traffic.

H. B. No. 200 referred to the Committee on Criminal Jurisprudence.

H. B. No. 265 referred to the Committee on Towns and City Corporations.

H. B. No. 296 referred to the Committee on Criminal Jurisprudence.

H. B. No. 297 referred to the Committee on Criminal Jurisprudence.

H. B. No. 298 referred to the Committee on Criminal Jurisprudence.

H. B. No. 299 referred to the Committee on Criminal Jurisprudence.

H. B. No. 300 referred to the Committee on Criminal Jurisprudence.

H. B. No. 301 referred to the Committee on State Affairs.

H. B. No. 302 referred to the Committee on State Affairs.

H. B. No. 306 referred to the Committee on County and County Boundaries.

H. B. No. 304 referred to the Committee on Stock and Stockraising.

H. B. No. 312 referred to the Committee on Insurance.

H. B. No. 368 referred to the Committee on Judicial Districts.

H. B. No. 376 referred to the Committee on Criminal Jurisprudence.

H. B. No. 405 referred to the Committee on Game and Fish.

H. B. No. 427 referred to the Committee on County and County Boundaries.

H. B. No. 496 referred to the Committee on Educational Affairs.

H. B. No. 460 referred to the Committee on Counties and County Boundaries.

H. J. R. No. 23 referred to the Committee on Constitutional Amendments.

Recess.

On motion of Senator Holbrook, the Senate, at 5:55 o'clock p. m., recessed until 10 o'clock a. m., Friday.

APPENDIX.

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, April 11, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. J. R. No. 22 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,
Austin, Texas, April 11, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. C. R. No. 35 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee on Enrolled Bills.

Committee Room,
Austin, Texas, April 11, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 367 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, April 10, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

S. B. No. 429, A bill to be entitled "An Act granting permission to Mrs. Dora Martin, individually and as next friend to Hazel Martin, Eunice Martin, Buster Martin and Jack Martin, Minors, and Ottis Martin, surviving wife and children of A. J. Martin, deceased, to bring suit against the State of Texas and/or the Highway Department of the State of Texas, in any court of competent jurisdiction, for damages for personal injuries received by the said A. J. Martin while on duty in the employ of the Highway Department of the State of Texas, which injuries resulted in the death of the said A. J. Martin; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, April 10, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 71, A bill to be entitled "An Act defining certain terms; providing for licensing of operators and chauffeurs; providing for certain exemptions; making provision for non-resident drivers; providing what persons shall be licensed; providing age limits for drivers of school buses and public carrying motor vehicles; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the committee substitute hereto attached, do pass in lieu thereof, and be printed in bill form.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, April 10, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on High-

ways and Motor Traffic, to whom was referred

S. C. R. No. 34, Granting permission to Mrs. Alma Besch to sue the State Highway Department, and fixing jurisdiction in Travis County.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, April 10, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 273, A bill to be entitled "An Act to amend Section 3 of Article 4725 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 153 of the General Laws of the Regular Session of the Forty-second Legislature of Texas. etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that committee substitute do pass in lieu thereof, and be printed.

COLLIE, Chairman.

Minutes of Committee Meetings.

Minutes of the Committee on Finance,
Held April 10, 1935.

Regular Meeting.

Present: Redditt, Beck, Duggan, Holbrook, Hornsby, Martin, Poage, Regan, Hill, Stone, Van Zandt, and Sulak.

Absent—Excused: Hopkins, Oneal, Rawlings, Sanderford, Woodruff, Burns, Hughston, Neal, and Small.

H. B. No. 407 was reported favorably with committee amendments.

H. C. R. No. 77 was reported favorably.

S. B. No. 469 and S. B. No. 494 were reported favorably.

NOEL K. BROWN, Secretary.

FORTY-NINTH DAY.

(Continued.)

Senate Chamber,
Austin, Texas,
April 12, 1935.

The Senate met at 10 o'clock a. m., pursuant to recess, and was called to order by Lieutenant Governor Walter F. Woodul.

Senate Resolution No. 71.

The Chair recognized Senator Hornsby to send up the following resolution:

Whereas, Honorable Ralph H. Durkee, President of the Fiesta San Jacinto Association, will be in the City of Austin on April 12; and,

Whereas, The Honorable Ralph H. Durkee is desirous to appear before the Senate for the purpose of presenting passes and invitations to the members of the Senate for the Fiesta at San Antonio, Texas; therefore be it

Resolved by the Senate, That the Honorable Ralph H. Durkee and his party be extended the privileges of the floor and that he be invited to address the Senate briefly at 11 o'clock a. m., Friday.

HORNSBY.

Read and adopted.

The Chair appointed Senators Hornsby, Cotten and Westerfeld to escort the visitor to the platform.

Lieutenant Governor Walter F. Woodul presented Senator Hornsby who in turn presented Hon. Ralph Durkee, who delivered the following invitation:

Gov. Woodul, Members of the Senate.

The officers and directors of the Fiesta San Jacinto Association are greatly honored in being permitted to come before you. I am not unmindful that you have interrupted a busy session to permit me to address you.

For 44 years the people of San Antonio have annually celebrated the victory of General Sam Houston at San Jacinto. In pageantry, parade and pilgrimage they have kept alive the memory of those brave men and fearless women who founded our State and whose patriotic impulses and tireless efforts should ever remain before us as examples of true patriotic devotion.

The people of San Antonio as are all Texans, are looking forward to their part in the Centennial.

This year the Fiesta program is planned as a prelude to San Antonio's part in that event.

It seemed fitting to the officers and directors of the Fiesta that the eyes of the Nation should be turned